

English summary

Exertion an unlawful influence on public servants

From harassment, threats and violence to “amorous infiltration”

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UNLAWFUL INFLUENCE DIRECTED AT PUBLIC SERVANTS

This report introduces a new concept, unlawful influence, which constitutes an umbrella term for the exertion of a number of serious forms of influence or pressure.

The term unlawful influence refers to serious forms of harassment and threats, and violent incidents directed at persons or property which, besides constituting a major problem in relation to health and safety at work, may affect the individual official's ability to conduct his or her duties and which therefore by extension constitute a threat to democracy. The term unlawful influence also refers to corruption in the form of the making of improper offers.

LEVELS OF EXPOSURE VARY

Twelve per cent of the officials who participated in the questionnaire survey have been exposed to serious harassment or threats, or to incidents of violence at some point between January 1st 2004 and the summer of 2005. Those so exposed comprise coastguard officials, customs officials, officials at the National Tax Administration, police officers, prosecutors, judges, lay court assessors and officials working at the National Enforcement Agency (the bailiff service). The twelve per cent constitute a cross-section of these groups, with levels of exposure varying between 3.2 per cent (officials at the National Tax Administration) and 20 per cent (officials working for the National Enforcement Agency).

The twelve per cent who have been exposed to unlawful influence can in somewhat simplified terms be described as being comprised of 8.2 per cent who perceived that this exposure involved situations where the interested party's objective was to “bring about passivity or activity to his/her own

advantage” and 4.3 per cent who perceived that it involved cases where the interested party had reacted out of a desire for “revenge” for incidents that had already occurred.¹

In the assessment of the National Council for Crime Prevention, twelve per cent must be regarded as a high figure, since the survey has focused on serious forms of influence, and the extent of unlawful influence must be taken more seriously than has been the case to date. The collaborating agencies are currently working to develop preventive measures.

WHO EXERTS THIS PRESSURE AND WHO ARE AFFECTED BY IT?

The majority of the parties who exert unlawful influence are private individuals, who are perceived by those exposed to their influence as “dogmatic people”, “people with a mental illness”, “people in desperate situations”, “substance abusers” and “criminals”. Groups, in the form of “organised crime” for example, are responsible for one quarter of the incidents of unlawful influence.

Those exposed to serious forms of harassment are primarily comprised of “civilian” occupational groups, and first and foremost of officials working for the National Enforcement Agency, prosecutors and judges. Serious threats are more evenly distributed across coastguard officials, officials working at the National Enforcement Agency, customs officials, prosecutors and police. Judges, lay court assessors and officials at the National Tax Administration are exposed to serious threats to only a very limited extent. It is very rare for groups other than police and customs officers to be exposed to violence, although isolated incidents do also occur in the other occupational groups.

Officials are exposed to serious violence in the form of repeated kicks, a number are shot at, others knifed, some are chased with weapons, officials in cars are forced off the road, and some have their cars destroyed.

Officials are exposed to attempted arson in the home, their homes are shot at, and private cars are vandalised.

Officials lives are threatened, including threats involving bombs. Officials also receive threats that their families will be wiped out. Agencies receive tips and intelligence that officials are to be done away with. Officials receive information that they have been placed on a death list.

Serious harassment involves frequent telephone calls, unpleasant letters, false allegations, and people attributing blame to the official in question. More subtle forms of serious harassment also occur. Someone “just happens” to be hanging around at the place where the official's private car is parked, motorcycles drive around the official's home, officials are photographed, the activities of agencies are recorded, officials and their relatives are studied, officials have unwanted goods sent to their homes, and information about officials is published on the internet.

RESPONSES TO UNLAWFUL INFLUENCE

Unlawful influence affects officials both at work and in their private lives. If we focus exclusively on incidents of serious harassment, 26 per cent of the exposed officials have considered changing jobs, 20 per cent have hesitated in the context of taking a measure or decision at work, eighteen per cent

¹ Some of those exposed to unlawful influence have reported both these motives, for which reason there is certain overlap.

have avoided a certain area or task, and six per cent report having had their behaviour or decision making affected in such a way that the exercise of their duties could be called into question. The figures for responses to serious threats and incidents of violence are similar.

Fifty-nine per cent of the officials report cases of serious harassment to their superiors; this figure rises to 68 per cent for serious threats and 72 per cent for violence. There are substantial variations however. The uniformed occupational groups (police, customs officers and coastguards) are worse at reporting than the other groups, since they may have a sense that it will not lead to anything being done. The uniformed occupational groups also feel that they do not receive very much support from their employers when they have been exposed to unlawful influence. The other occupational groups' employers have made more progress when it comes to dealing with situations of this kind.

The National Council's assessment is that the occupational groups included in the study have much to gain by collaborating and learning lessons from one another. The civilian agencies have come somewhat further in their work with supportive measures and may therefore be able to teach the agencies with uniformed employees a good deal on how unlawful influence may be dealt with and worked through. Customs officers, police, and to some extent coastguard officers, encounter similar problems as a result of the character of their work and may therefore benefit from one another's experiences. Similarly, prosecutors, judges, lay court assessors and officials at the National Tax Administration have a great deal in common. Officials working at the National Enforcement Agency have much in common with both these groups.

Of the incidents of serious harassment that were reported to the police, 20 per cent resulted in convictions. Of the serious threats, 39 per cent resulted in a conviction and the corresponding figure for incidents of violence was 47 per cent. These figures reflect the priorities of the anti-crime agencies and the difficulties involved in investigating, proving and prosecuting cases of serious harassment to conviction.

CASES OF SERIOUS HARASSMENT CONSTITUTE A GRAVE PROBLEM

The assessment of the National Council is that cases of serious harassment have been underestimated and have been viewed in an uncritical manner as being less important than serious threats and incidents involving violence. Cases of serious harassment produce a substantial influence as a result of their infectious effects and they are difficult to deal with and to work through since they are more difficult to “grasp” than concrete situations involving threats or violence.

THE OTHER SIDE OF THE COIN - THE MAKING OF IMPROPER OFFERS

Harassment, threats and violence constitute methods of exerting influence. Another method involves making improper offers. The survey has been able to measure less serious forms of improper offers. These involve forms of “everyday corruption” such as are associated with the exercise of public duties.

A total of 5.7 per cent of the officials surveyed reported that they had received some form of improper offer between January 1st 2004 and the summer of 2005. It is first and foremost the uniformed occupational groups (coastguards, customs officers and police) that have been exposed to this

form of influence, and to some extent also officials working for the National Enforcement Agency. Those exposed have perceived the underlying motives to be of a “financial” character, or to be a result of the party concerned wishing to show “gratitude” or wanting to “protect his/her own criminal enterprises”. These parties are primarily concerned with getting officials to “act” or to be “passive” and with “rewarding” the official in question. It is first and foremost private individuals and companies that make improper offers. These offers most often take the form of meals, objects and purchases made on preferential terms. There are also examples of offers of “dates”, “sex” and other indications of what has been referred to in the report as “amorous infiltration”.

The survey of “everyday corruption” may be used to assess risks for more serious forms of improper offers. All occupational groups are vulnerable. The occupational groups at greatest risk of being exposed to improper offers are those that work in the field in the absence of direct controls from superiors, or others who are able to influence written documentation. These comprise coastguard officers, customs officers, police, officials working for the National Enforcement Agency and the National Tax Administration and to some extent also prosecutors. Coastguards, customs officers and officials working at the National Tax Administration in particular may find themselves in situations where their actions or passivity may involve large sums of money.

AN IMPORTANT AREA TO MONITOR

The assessment of the National Council is that this situation must be taken very seriously but at the same time it should not be exaggerated. Individual officials and workplaces are victimised, but the social order cannot be regarded as being under threat. It is important, however, to monitor trends relating to the exercise of unlawful influence and to provide an opportunity for more detailed studies, at the same time as a follow-up study ought to be conducted, perhaps in five years time.

THE SURVEY

The results are based on 4,538 completed questionnaires and 50 interviews.

A REPORT FROM THE NATIONAL COUNCIL FOR CRIME PREVENTION IN COLLABORATION WITH:

THE NATIONAL COURTS ADMINISTRATION, THE OFFICE OF THE PUBLIC PROSECUTOR, THE NATIONAL POLICE BOARD, THE NATIONAL SECURITY POLICE, THE COAST GUARD, THE CUSTOMS ADMINISTRATION, THE NATIONAL TAX ADMINISTRATION AND THE NATIONAL ENFORCEMENT AGENCY